

July 6, 2016  
Item # 9  
DEPARTMENT OF COMMUNITY SERVICES  
PLANNING DIVISION  
TOWN OF WEST HARTFORD  
50 SOUTH MAIN STREET  
WEST HARTFORD, CT 06107-2431  
TEL: (860) 561-7555 FAX: (860) 561-7504  
[www.westhartford.org](http://www.westhartford.org)

PERMIT APPLICATION FOR: (check one of the following)

☐ Lot Split ☒ Special Use Permit ☐ Site Plan  
☐ Lot Line Revisions ☐ Subdivision ☐ Building Line

SUP  
File # 1259-22-16 Application Fee \$350 Surcharge Fee \$60 Date Received 5-20-14  
Street Address 701 Farmington Avenue

Lot or Parcel # \_\_\_\_\_ Acreage/Lot Area \_\_\_\_\_ Zone Rm-1 / R-6

Applicant's Interest in Property: \_\_\_\_\_

Brief Description of Proposed Activity: Increase licensed capacity  
from 177 to 197

The undersigned warrants the truth of all statements contained herein and in all supporting documents to the best of his/her knowledge and belief. Furthermore, the applicant agrees that submission of this document constitutes permission and consent to Commission and Staff inspections of the site. Note: Notice is hereby given the Connecticut Department of Public Health must be notified by applicants for any project located within a public water supply aquifer protection area or watershed area. (CTDPH website at <http://www.dph.state.ct.us>)

Congregation Beth Israel  
Record Owner's Name

701 Farmington Avenue  
Street

West Hartford, CT 06119  
City State Zip

860 233-8215  
Telephone #

Contact Person:

Gerry Pastor  
Name

555 Day Hill Road  
Street

Windsor CT 06095  
City State Zip

860 989-9302  
Telephone #

g.pastor@educationalplaycare.com  
E-Mail

Educational Playcare  
Applicant's Name

555 Day Hill Road  
Street

Windsor CT 06095  
City State Zip

860 989-9302  
Telephone #

[Signature]  
Applicant's Signature

[Signature]  
Signature of Owner/Authorized Agent



**EDUCATIONAL PLAYCARE**

Box 129 West Simsbury, CT 06092

Gerry Pastor, Secretary

[gpastor@educationalplaycare.com](mailto:gpastor@educationalplaycare.com)

Tel: (860) 989-9302

Fax: (860) 341-4447



May 20, 2016

To: The Zoning Commission

Re: Educational Playcare application to increase licensed capacity

**Background**

Educational Playcare opened in 1986 by Jane Porterfield. Over the years we have provided childcare and preschool programs to literally thousands of children. In 2001 Jane was joined by her husband (Gerry Pastor) when it opened its second location in Farmington, CT. Today we operate 10 schools throughout CT.

In May of 2014 we opened in the first floor of Congregation Beth Israel at 701 Farmington Ave. We currently have a waiting list of over 50 families.

**Request to increase licensed capacity**

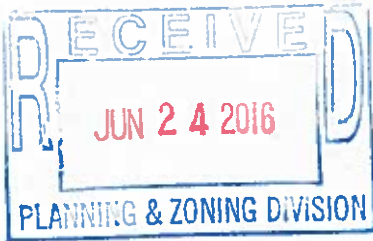
Our current license capacity is for 177. We are requesting that this be increased to 197. The increase entails no construction as we could have been licensed at this number from the outset but were limited by our zoning approval.

The only significant concern that might be raised is parking. This was initially a problem but we have remedied through a lease (attached) to use the back parking lot at St. John's church. It will be used for employee parking only. There is no conflict with the parking needs of St. John's as the hours we will utilize the parking spots are for different hours than the church requirements. We are requesting approval of the lease.

Sincerely,

Gerry Pastor  
Secretary





## Lease Agreement

This Lease Agreement is made this 5<sup>th</sup> day of June, 2016 by and between **SAINT JOHN'S EPISCOPAL CHURCH**, of 679 Farmington Ave, West Hartford, Connecticut ("Lessor"), and **EDUCATIONAL PLAY CARE, LTD**, a business incorporated under the laws of the State of Connecticut, with a principal business address of 144 Simsbury Road, Avon, CT ("Lessee")

WHEREAS Lessee operates a day care facility at 701 Farmington Ave, West Hartford, CT;

WHEREAS Lessee desires to rent from Lessor, twenty-five (25) parking spaces in the rear parking lot located at 679 Farmington Ave, West Hartford, CT, for a period of 18 months, beginning on the 1<sup>st</sup> day of June 2016 ("Lease Term"), under the following terms and conditions:

Lessor shall make available to Lessee said twenty-five (25) parking spaces from 7:00am to 6:00pm, Monday through Friday. Lessee shall have priority use of said parking spaces during this time period.

Lessee shall use said parking spaces for automobile parking purposes associated with the operation of EDUCATIONAL PLAY CARE LTD, and for no other purposes.

Lessee shall not be allowed to sublease or rent said parking spaces without prior written approval from Lessor.

Lessee shall pay Lessor a sum of Four Thousand (\$4,000.00) monthly for the use of said spaces, payable in semi-annual installments of Twenty-Four Thousand (\$24,000.00) Dollars, with the first installment due on July 1, 2016 and the second installment due January 1, 2017. Lessee shall also pay Lessor 19 percent of the cost of snow removal, payable monthly on the first day of each month. Lessor shall provide Lessee with proof of said snow removal expense seven (7) business days prior to the payment due date.

Lessor shall not be responsible for damage to automobiles or items left therein unless resulting from the willful neglect or action of Lessor. Lessee shall defend, hold harmless and otherwise indemnify Lessor for all such damages not covered by Lessor under this clause.

Lessee shall carry liability insurance in adequate amounts covering any damages and losses that may result from its use of the premises, and shall name the Lessor as additional insured. Lessee shall provide Lessor with a certificate of insurance evidencing such coverage.

Lessee shall be responsible for any and all damages beyond normal wear and tear to the parking facilities by its use or that of its employees or invitees.

The initial term of this Lease shall expire on December 31, 2017. The Lease may be renewed for successive one year periods by written agreement of both parties.

If either party breaches the terms of this agreement, the non-breaching party shall have the right to terminate the Lease Agreement upon written notice to the breaching party without recourse.

IN WITNESS WHEREOF, the parties have executed this Lease Agreement on this \_\_\_\_ day of June, 2016.

Lessee:

  
EDUCATIONAL PLAY CARE LTD.

By its President, JANE R. PORTERFIELD

Lessor:

  
SAINT JOHN'S EPISCOPAL CHURCH

By Susan Piskerton

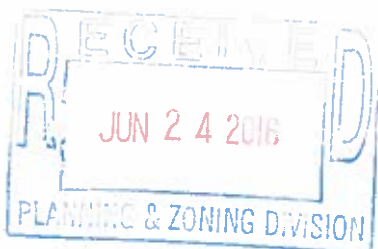
STATE OF CONNECTICUT

ss: West Hartford

COUNTY OF HARTFORD

On this the 5 day of June, 2016, before me, the undersigned officer, personally appeared Susan Piskerton, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained, as their free act and deed.

  
~~Notary Public/Commissioner of Superior Court~~  
Timothy S Gock #73796



STATE OF CONNECTICUT

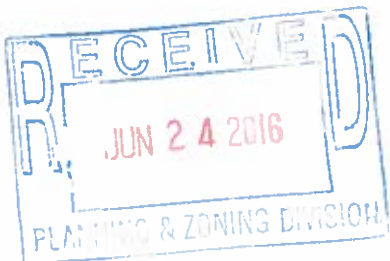
ss: West Hartford

COUNTY OF HARTFORD

On this the 13 day of June, 2016, before me, the undersigned officer, personally appeared Jane Porterfield, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained, as their free act and deed.

Deirdre Spillane

Notary Public/Commissioner of Superior Court



*WAIVER OF INSURANCE*

Educational Play Care shall indemnify, defend and hold harmless St. John's Episcopal Church, West Hartford, CT and the Episcopal Church of CT and their respective, officers, directors, employees, agents, and representatives harmless from and against any and all claims, demands, causes of action, losses, liabilities, damages and expenses (including reasonable attorney's fees and costs) arising out of or in connection with any allegations brought against St. John's Episcopal Church, West Hartford, CT and the Episcopal Church of CT and their respective, officers, directors, employees, agents from and against any cost and expense (including reasonable attorney's fees) arising out of the use of the premises or property of St. John's Episcopal Church, West Hartford, CT by the undersigned.

  
Jane Porterfield, President  
Educational Play Care

4/13/2016  
Date

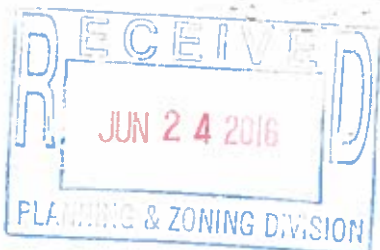
STATE OF CONNECTICUT

ss: West Hartford

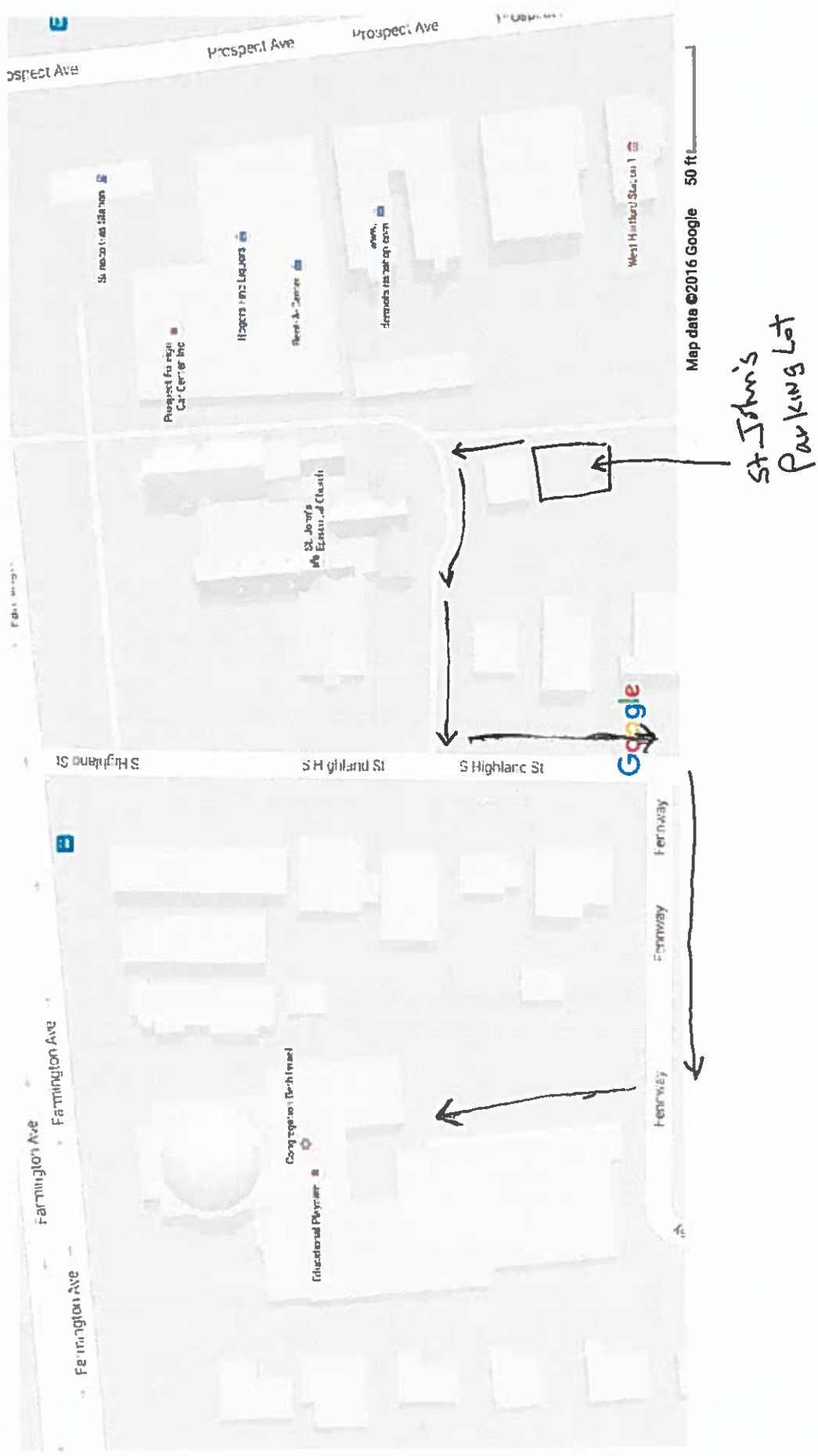
COUNTY OF HARTFORD

On this the 13 day of June, 2016, before me, the undersigned officer, personally appeared Jane Porterfield, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained, as their free act and deed.

  
Notary Public/Commissioner of Superior Court



Google Maps





St. John's  
Parking lot

Congregation  
Beth Israel

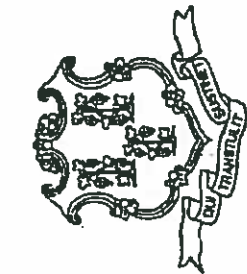
Google Maps



Imagery ©2016 Google, Map data ©2016 Google 50 ft



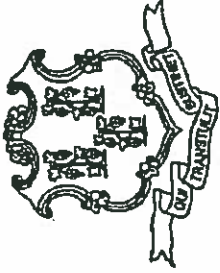




# State of Connecticut

## Department of Public Health

410 Capitol Avenue, Hartford, CT 06134  
(860) 509-8045



In Accordance with Connecticut General Statutes 19a-77 to 19a-87 inclusive,  
the Department of Public Health issues this license, which is non-transferable, to:

**CONGREGATION BETH ISRAEL INC**  
**701 FARMINGTON AVENUE**  
**WEST HARTFORD, CT 06119**

to operate a

### Child Day Care Center

at

**NOAH'S ARK CD CHILD CENTER - CONG BETH ISRAEL**  
**701 FARMINGTON AVENUE**  
**WEST HARTFORD, CT 06119**

License Number: **DCCC.13159**

Expiration Date: **03/31/2018**

Approved for the Following Services:

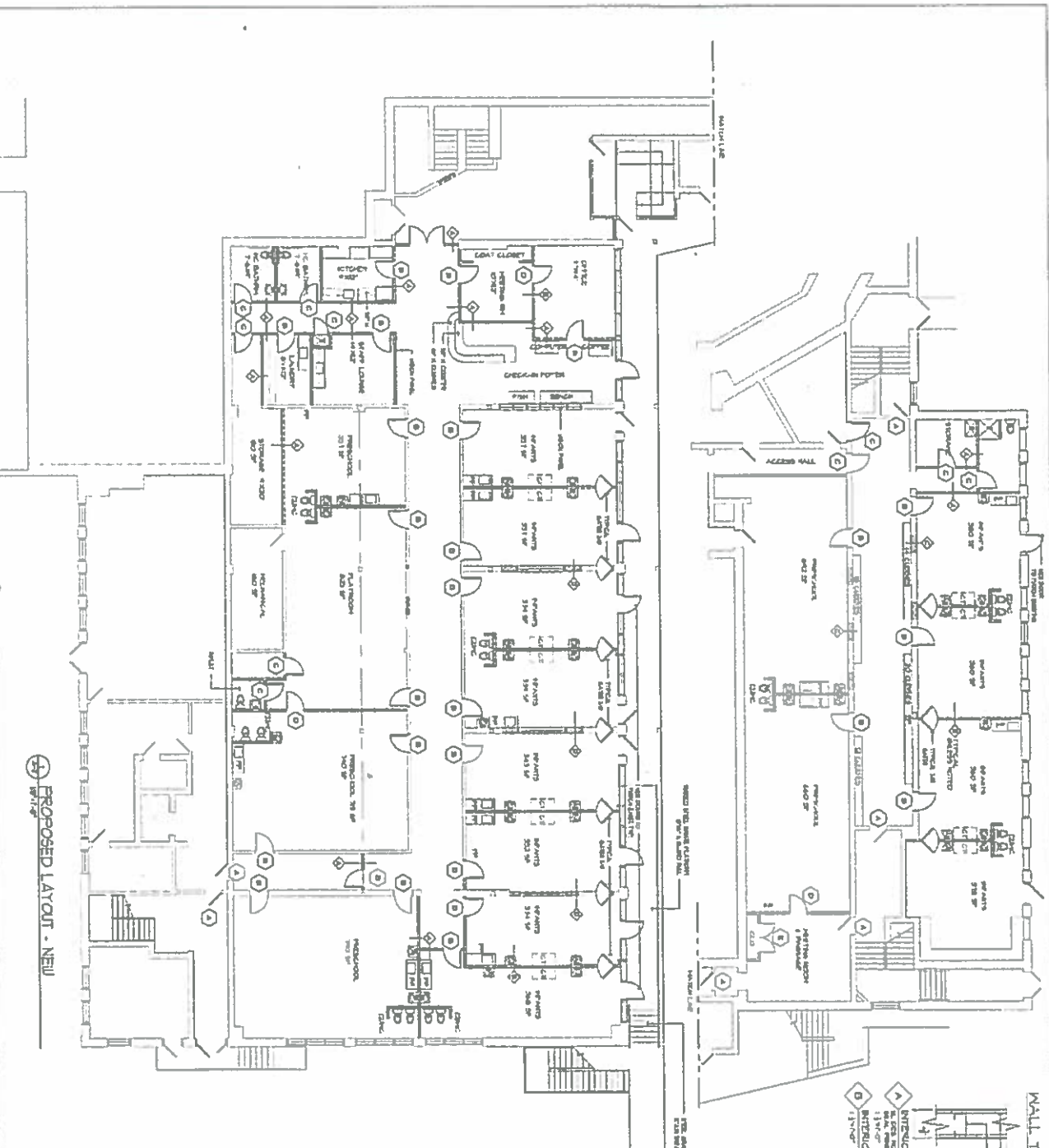
**Children Under 3 Yrs; Pre-School**

Maximum Children at One Time: **177**  
Children Under 3 Years of Age: **92**

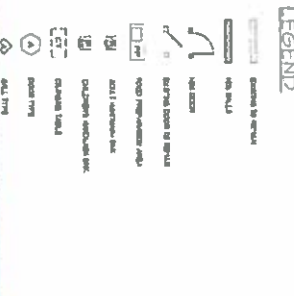
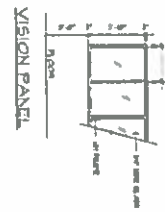
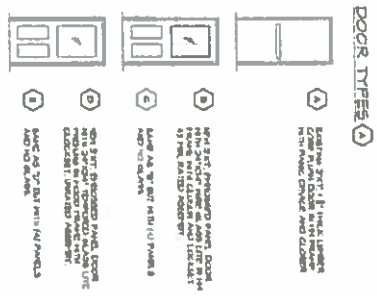
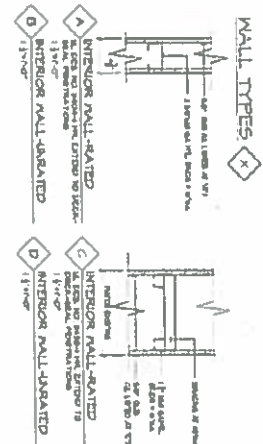
*Jewel Mullen*

Jewel Mullen, MD, MPH, MPA  
Commissioner





PROPOSED LAYOUT - NEW



RECEIVED

C: Jerry Pastor  
6/27/16

**Catherine Dorau**

---

**From:** Pat Alair  
**Sent:** Monday, June 27, 2016 11:53 AM  
**To:** Catherine Dorau  
**Cc:** Todd Dumais; Brittany Bermingham  
**Subject:** RE: 701 Farmington Avenue - SUP # 1259-R2-16 - Educational Playcare

Cathy-

I note that there is no formal application for alternate parking approval before TPZ. Traditionally we have approved a separate alternate parking application for such arrangements. Given that the TPZ sets the parking requirement for day care facilities pursuant to sec. 177-32I of the West Hartford Code of Ordinances as part of the special use permit, I would assume that it was decided that a separate application was not required in this case.

There are two applications before the TPZ at the present time. One is a two-year "lookback" and the other is an application to expand the number of children who may be cared for at the facility. It appears that some concern has been raised about the adequacy of parking to meet the facility's needs in the past and that this lease has been negotiated to address that concern going forward. The lease appears to be adequate in form to meet the requirements of West Hartford Code of Ordinances sec. 177-32G, but I would make a couple of observations:

- These parking spaces may be required by Saint John's for its own use, so the applicant should plan to address how the peak hours differ between their respective uses. (Seems obvious but it should be stated on the record during the hearing.)
- The number of spaces involved is clearly not intended to provide *all* of the parking for Educational Playcare. I assume that it is intended as employee parking. The applicant should make that clear during the hearing.
- As is usually the case, the issue here which may be of greatest concern to the TPZ is the term of the lease. The first term is for 18 months and the lease can be renewed by agreement of the parties for one-year terms thereafter. Given that the facility already exists and has been approved, the issue of parking must be viewed in a slightly different light than would be the case if we were looking at a facility which has not yet opened. It is traditionally the case that the TPZ would impose a condition of approval on an alternate parking agreement situation which effectively states that "if you lose the parking, you lose the use." Without knowing more details, that seems like it might be unduly severe in this case. I might suggest, instead, that the request to *increase* the number of children served could be conditioned upon keeping the leased parking spaces and that the applicant be required to provide us with copies of all lease renewals in a timely fashion.

Please feel free to contact me if you have any further questions.

Patrick G. Alair  
Deputy Corporation Counsel

## Catherine Dorau

---

**To:** Catherine Dorau  
**Subject:** FW: 701 Farmington Avenue - SUP # 1259-R2-16 - Educational Playcare / Alternative Parking

---

**From:** Gerry Pastor [<mailto:gpastor@educationalplaycare.com>]  
**Sent:** Monday, June 27, 2016 3:32 PM  
**To:** Catherine Dorau <[cdorau@WestHartfordCT.gov](mailto:cdorau@WestHartfordCT.gov)>  
**Subject:** Re: 701 Farmington Avenue - SUP # 1259-R2-16 - Educational Playcare / Alternative Parking

- 1) we are open from 7am - 6pm. Peak drop-off is 7-8:30, and pick-up is 4:30-6.
- 2) we currently have 36 full time employees and 7 part time employees. Of these 21 take the bus.
- 3) we are slower in the summer, and actually I was there today and observed the same things. Apparently some of our employees (approximately 5) were parking on Highland ... not knowing St. John's was mandatory. This was rectified earlier today.
- 4) work done at the synagogue is estimated to be complete by the end of July.
- 5) The new capacity will be for over-3 children ... the ratio is 10:1. It will result in 3 extra employees. To complete the answer to your question, the teacher/student ratio for children under 3 is 4:1.

Current breakdown of children by age is: 113 children under 3, and 64 children 3 and over

---

On 6/27/2016 3:14 PM, Catherine Dorau wrote:

Gerry,

Given the initial parking problem you mention in your narrative and the concern to our office we have a few areas we would like you to expand on to help clarify our questions.

What are the hours of operation and the number of employees. What is the ratio/breakdown of employee to child for 177 children and how will that change for the proposed 197 children? Are there peak drop-off and pick-up times – what are they? It would be helpful to have this information as part of your narrative.

Also, there is work being done at the Synagogue that involves a section of the parking lot – do you know when that will be completed to free up those parking spaces? Someone on the TPZ may inquire about that and it would be good to have an idea when it will be completed.

Staff visited the site this afternoon (2pm ish) and there were very few cars in either parking lot today – is there a slow time during the summer or might the employee's be parking other than at St. John's?

Best Regards,

Catherine Dorau  
Associate Planner  
Town of West Hartford  
Department of Community Services: Planning and Zoning Division

Email on 6.6.16  
to G. Pastor

Catherine Dorau

---

**From:** Bob Proctor  
**Sent:** Monday, June 06, 2016 2:41 PM  
**To:** Catherine Dorau  
**Cc:** Brittany Bermingham; Todd Dumais; Ryan Zannotti; Steve Huleatt; Aimee Eberly  
**Subject:** 701 Farmington Ave., Educational Playcare, SUP#1259-R2-16 (Increased License Capacity)

Cathy,

Information pertaining to the Application (SUP#1259-R2-16 Educational Playcare) for an increase of the current capacity of 177 children to the requested 197 has been reviewed and the site has been recently inspected.

We are prepared to sign off on this increase once approval is granted by the CT Dept. of Public Health in accordance with Connecticut General Statutes 19a-77 to 19a-87 inclusive. It is my understanding that the site was previously cleared for 197 children at a earlier date, some time ago, and renovations have been made to the location that can accommodate the proposed increase in capacity. ---Current Lic. # is DCCC. 13159 & Maximum Children at One Time: 177

The contact individual, at our office, will be Ryan Zannotti (860-561-7900).

Bob Proctor RS  
West Hartford Health District



**Brittany Bermingham**

*emailed to  
applicant on 5.31.16*

**From:** Brian Pudlik  
**Sent:** Tuesday, May 31, 2016 9:32 AM  
**To:** Catherine Dorau; Todd Dumais  
**Cc:** Brittany Bermingham  
**Subject:** RE: Staff Comments for 701 Farmington Ave, SUP #1259 R1- and R2- 16

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good morning,

I have not received any complaints regarding the Educational Playcare center at 701 Farmington Avenue, therefore I have no concerns with either of these applications.

Brian Pudlik  
Zoning Enforcement Officer

Town of West Hartford | Room 214 | 50 South Main Street | West Hartford, CT 06107  
Desk: 860.561.7553 | Fax: 860.561.7504  
*Please note the updated email address:* Brian.Pudlik@WestHartfordCT.gov

---

**From:** Brittany Bermingham  
**Sent:** Friday, May 27, 2016 1:18 PM  
**To:** Brian Pudlik <Brian.Pudlik@WestHartfordCT.gov>; Mike Sinsigalli <MSinsigalli@WestHartfordCT.gov>; Bob Proctor <BobP@WestHartfordCT.gov>; Aimee Eberly <Aimee.Eberly@WestHartfordCT.gov>  
**Cc:** Todd Dumais <Todd.Dumais@WestHartfordCT.gov>; Catherine Dorau <cdorau@WestHartfordCT.gov>  
**Subject:** Staff Comments for 701 Farmington Ave, SUP #1259 R1- and R2- 16

Hello,

Two (2) Special Use Permit applications were submitted to our office and will be scheduled for TPZ public hearing next month.

- 701 Farmington Avenue, Educational Playcare, SUP #1259-R1-16
- 701 Farmington Avenue, Educational Playcare, SUP #1259-R2-16

Please note that the R1 version is a two-year review. The R2 version is an increase in student capacity.

Attached are the narratives and plan sets. Please review the plans and provide us with comments no later than Tuesday, June 7, 2016.

If you would like a hard copy, please let me know.

Thanks,

Brittany A. Bermingham  
Planning Technician  
Town of West Hartford  
Department of Community Services: Planning & Zoning Division  
50 South Main Street | West Hartford CT 06107 | t 860.561.7555 | f 860.561.7504  
[brittany.bermingham@westhartfordct.gov](mailto:brittany.bermingham@westhartfordct.gov)

C: Jerry Pastor  
6/28/16

**West Hartford Fire Department  
Loss Prevention Bureau**

---

# Memorandum

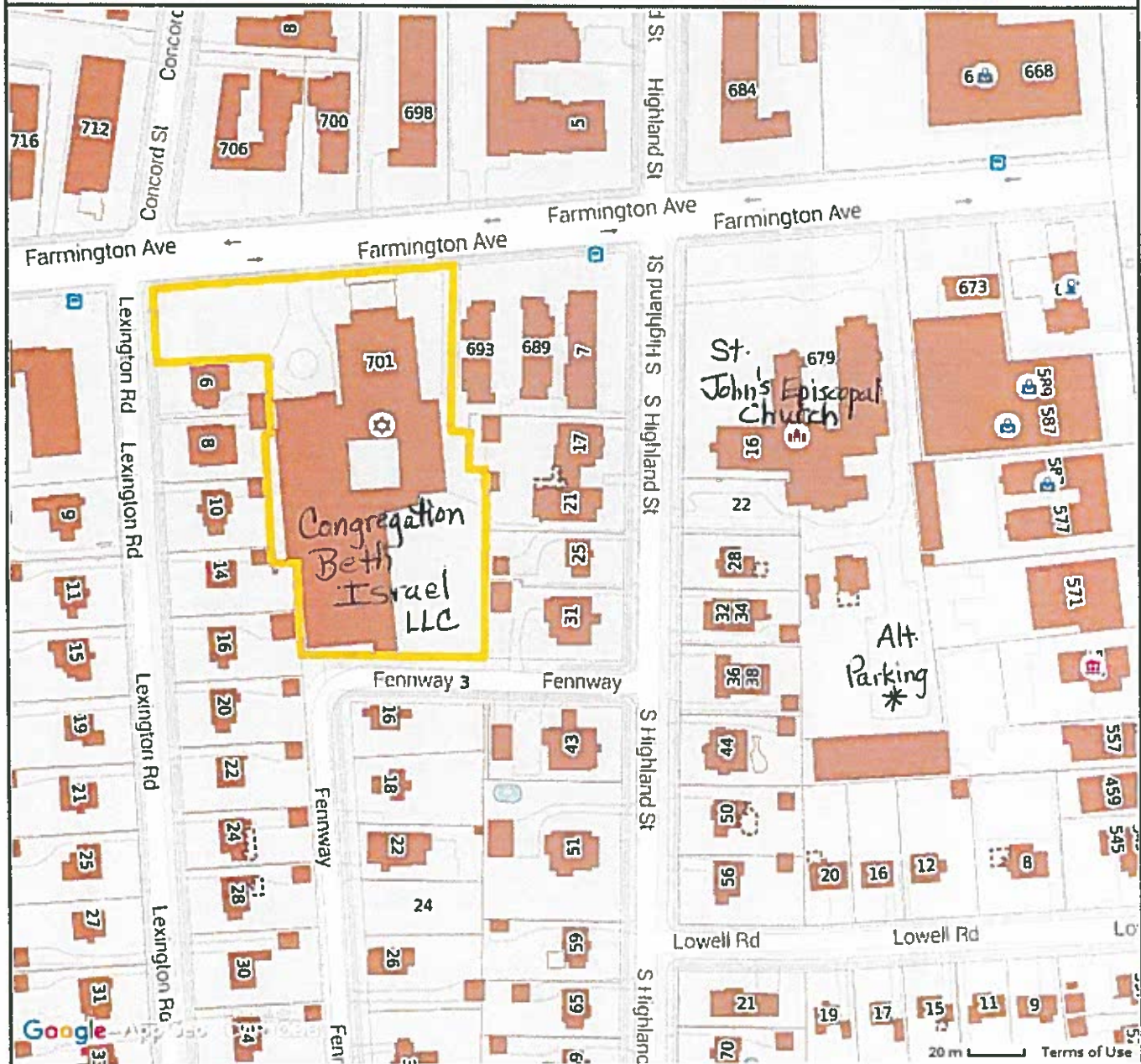
**To:** Brittany Bermingham  
**CC:** File  
**From:** Michael L. Sinsigalli, Assistant Chief of Loss Prevention  
**Date:** 6/14/2016  
**Re:** SUP# 1259-R2-16, Educational Playscape, 701 Farmington Ave

---

Please be advised that review of the submitted plans and documents for the above noted special use permit disclosed no area of special concern regarding site accessibility or maneuverability. Also note that the increase in the number of children to 197 presents no special issues for enforcement of the Fire Code.

Ref: P16-278

## 701 Farmington Avenue - Educational Playcare

**Property Information**

**Property ID** 1891 1 701 0001  
**Location** 701 FARMINGTON AVENUE  
**Owner** CONGREGATION BETH ISRAEL

**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

Town of West Hartford, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 5/22/2015  
Properties updated Daily